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PTO/SB/30 (09-03)

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**Request
for
Continued Examination (RCE)
Transmittal**

Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

<i>Application Number</i>	09/938,751
<i>Filing Date</i>	08/24/2001
<i>First Named Inventor</i>	Armin Amrhein
<i>Art Unit</i>	2125
<i>Examiner Name</i>	Kidest Bahta
<i>Attorney Docket Number</i>	071308.0210

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a. Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

- i. Consider the arguments in the Appeal Brief or Rely Brief previously filed on _____
- ii. Other _____

b. Enclosed

- i. Amendment/Reply
- ii. Affidavit(s)/ Declaration(s)
- iii. Information Disclosure Statement (IDS)
- iv. Other _____

2. **Miscellaneous**

Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a

- a. period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. Other _____

3. **Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

The Director is hereby authorized to charge the following fees, or credit any overpayments, to

- a. Deposit Account No. 02-0383
- i. RCE fee required under 37 CFR 1.17(e)
- ii. Extension of time fee (37 CFR 1.136 and 1.17)
- iii. Other _____
- b. Check in the amount of \$ 880.00 enclosed
- c. Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Andreas Grubert	Signature	Registration No. (Attorney/Agent)	Limited
			Date	July 7, 2004

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type)	Kim Hennessey	Signature	Date	July 7, 2004
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This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

7/09/2004 RMEBRHT 00000088 09938751
110.00 OP
02 FC:1801
01 FC:1251



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Armin Amrhein et al. § Group Art Unit: **2651**
Serial No.: **09/938,751** § Examiner: **Bahta, Kidest**
Filing Date: **August 24, 2001** § Attorney Docket No. **071308.0210**
Title: **Programming of Cyclical Machines** § Client Ref.: **2000P23222US**
§

**RESPONSE UNDER 37 C.F.R. 1.111 TO
FINAL OFFICE ACTION MAILED MARCH 23, 2004**

CERTIFICATE OF MAILING VIA EXPRESS MAIL

PURSUANT TO 37 C.F.R. § 1.10, I HEREBY CERTIFY THAT I HAVE INFORMATION AND A REASONABLE BASIS FOR BELIEF THAT THIS CORRESPONDENCE WILL BE DEPOSITED WITH THE U.S. POSTAL SERVICE AS EXPRESS MAIL POST OFFICE TO ADDRESSEE, ON THE DATE BELOW, AND IS ADDRESSED TO:

MAIL STOP AF
COMMISSIONER FOR PATENTS
P.O. Box 1450
ALEXANDRIA, VA 22313-1450


EXPRESS MAIL LABEL: **EV449864285US**
DATE OF MAILING: **APRIL 29, 2004**

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

EV449864285US

In response to the Final Office Action, mailed March 23, 2004, Applicants respectfully request reconsideration of the rejections set forth in the Office Action in light of the remarks below.

The two-month shortened statutory period for reply will be due May 23, 2004, therefore, this response is considered to be filed timely.